

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION

VANESSA DUNDON, ET AL. on behalf of themselves and all similarly- situated persons,  Plaintiffs,  v.  KYLE KIRCHMEIER, ET AL.,  Defendants.	No. 1:16-cv-406-DLH-CSM  <b>Plaintiffs' Request for Hearing on Defendants' Second Motion To Dismiss (Rule 12(B)(6))</b>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------

Plaintiffs respectfully request that the Court set a hearing for argument on Defendants' pending Motion to Dismiss. Defendants' motion is based in significant part on Defendants' interpretations of the video and photo evidence, as well as on previously filed affidavits. Plaintiffs have argued that Defendants are mischaracterizing the video and photo evidence. Plaintiffs' counsel believe it would aid the Court for both sides to be able to discuss the video and photo evidence while showing the images, as well as to potentially address any other extrinsic material that the Court is inclined to consider in connection with the motion. Accordingly, plaintiffs request that the Court set a date for hearing.

Dated: Aug. 15, 2018

Respectfully submitted,

/S/ Rachel Lederman, CA SBN 130192  
Rachel Lederman & Alexis C. Beach, Attorneys  
558 Capp Street, San Francisco, CA 94110  
(415) 282-9300  
rachel@bllaw.info